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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/286,249 | 04/05/1999 | BRUCE W. STELMAN | HELLO-00308 | 4721 |

28960 7590 04/11/2003

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| EXAMINER |
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HAROLD, JEFFEREY F

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| ART UNIT | PAPER NUMBER |
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2644

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DATE MAILED: 04/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/286,249

Applicant(s)

STELMAN, BRUCE W.

Examiner

Jefferey F. Harold

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-58 and 60-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 41-58 and 60-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application):
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7, 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The references listed in the Information Disclosure Statement submitted on October 22, 1999, and March 10, 2003, have been considered by the examiner (see attached PTO-1449).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. ***Claims 41-58 and 60-63*** are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding **claim 41**, the claim limitation recites "...a handset port of a telephone to a plurality of signal lines form a headset ...", however, the reference to applicant's specification in support of the claim limitation discloses telephone accessory 60 or 62, that fails to meet the specific claim limitation of lines of a headset.

Regarding **claim 42**, the claim limitation recites "...each switch configuration in the plurality of switch configurations comprises a predetermined setting for each of the plurality of switches...", however, the reference to applicant's specification in support of the claim limitation fails to provide a basis for 'a predetermined setting for each of the plurality of switches'.

Regarding **claim 44**, the claim limitation recites "...the switch matrix comprises a plurality of relays, the plurality of relays coupling the plurality of handset port signal lines...", however, the reference to applicant's specification in support of the claim limitation fails to provide a basis for the plurality of relays.

Regarding **claim 45**, the claim limitation recites "...the switch matrix is based on a cascading architecture...", however, the reference to applicant's specification in support of the claim limitation fails to provide a basis for cascading architecture.

Regarding **claim 46**, the claim limitation recites "...a signal level detector that generates an output signal, the output signal indicating a level of an input signal to the signal level detector...", however, the reference to applicant's specification in support of the claim limitation fails to provide a basis for signal level detection. Applicant's disclosure recites a dial tone detector that does not differentiate between various levels of the tone.

Regarding **claim 50**, the claim limitation recites "...the interface unit further comprises a variable gain circuit...", however, the reference to applicant's specification in support of the claim limitation fails to provide a basis for the variable gain circuit.

Regarding **claim 51**, the claim limitation recites "...receives a first gain signal and a second gain signal from the handset port transmit path...", however, the reference to applicant's specification in support of the claim limitation fails to provide a basis for first gain signal and a second gain signal.

Regarding **claim 56**, the claim limitation recites "A self-configuring headset and telephone interface unit, comprising: a headset ...", however, the reference to

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applicant's specification in support of the claim limitation fails to provide a basis for the specific limitation of a headset.

Regarding **claim 57**, the claim limitation recites "...measuring a signal on the headset receive path resulting from the test signal...", however, the reference to applicant's specification in support of the claim limitation fails to provide a basis for measuring a signal. Further, sensing a signal is different from measuring a signal.

Conclusion


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is (703) 306-5836. The examiner can normally be reached on Monday-Friday 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



JFH
April 4, 2003



FORESTER W. ISEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600